

**REMARKS**

Claims 1-20 are pending in this application. No claims are amended, canceled, or added by this amendment.

**Claim Rejections under 35 U.S.C. § 102**

Claims 1-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Busick et al. (U.S. Pat. No. 5,373,205, herein Busick). Applicant respectfully traverses the rejection.

Busick discloses a method and apparatus for limiting current through a switching device supplying current to a load.<sup>1</sup> In particular, Busick discloses that a control evaluates a model of the switching device as a function of a calculation of the power dissipated and heat losses in the switching device to determine current limits.<sup>2</sup> However, Busick does not disclose “**predicting an absolute or relative time value** for a temporal trigger reserve as a function of the thermal motor model” as required by claim 7. To the contrary, Busick merely regulates current limits. Busick does not disclose a time prediction, let alone a time prediction for a temporal trigger reserve. Therefore, Busick does not disclose “**predicting an absolute or relative time value** for a temporal trigger reserve as a function of the thermal motor model” as required by claim 7.

Applicant respectfully submits claim 1 is allowable for reasons somewhat similar to those discussed above in regards to claim 7 and is patentable for at least somewhat similar reasons. Although, it is noted that claim 1 is an apparatus claim, not a method claim like claim 7, and should be governed solely by the limitations contained therein and should not be limited by limitations of claim 7 not contained therein. Further, Applicant respectfully submits that claims 2-6 and 8-20, which depend from one of claims 1 and 7, are patentable for at least the same reasons discussed above in regard to claims 1 and 7 as well as on their own merits.

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<sup>1</sup> Busick at Abstract.

<sup>2</sup> Id. at Col. 2, Ll. 26-31.

In view of the above Applicant respectfully requests the rejections under 35 U.S.C. § 102(b) be withdrawn.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-20 in connection with the present application is earnestly solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By

  
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